



# City of NORFOLK

C: Dir., Department of City Planning

To the Honorable Council  
City of Norfolk, Virginia

February 10, 2015

From: George M. Homewood, AICP, CFM, Planning Director

Subject: **Special Exception to operate a commercial drive-through at 649 N. Newtown Road – Taco Bell**

Reviewed:

Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 4/7

Approved:

Marcus D. Jones, City Manager

Item Number:

R-6

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.
  - At the request of the civic league, a condition was added to the ordinance at the public hearing to require a 4-foot solid fence along the western property line.
  - The representative for Taco Bell agreed to the civic league request.
- III. **Request:** Special Exception to operate a commercial drive-through
- IV. **Applicant:** David Bohanan
- V. **Description**
  - This request would allow a new business, Taco Bell, to construct a new restaurant on the site with a commercial drive-through
  - The applicant proposes to demolish the existing Exxon gas station and convenience store in order to redevelop the site with a new 2,000 square foot fast-food restaurant with a single drive-through lane.

Staff point of contact: Matthew Simons at 664-4750, [matthew.simons@norfolk.gov](mailto:matthew.simons@norfolk.gov)

**Attachments:**

- Staff Report to CPC dated January 22, 2015 with attachments
- Letter of support
- Proponents and Opponents
- Ordinance



# City of NORFOLK

To the City Planning Commission  
City of Norfolk, Virginia

January 22, 2015

From: Matthew Simons, CFM *M. S.*  
City Planner II

**Subject:** Special exception to  
operate a commercial drive-  
through on property located at 649  
N. Newtown Road – **Taco Bell**

Reviewed: Leonard M. Newcomb III, CFM *L. M. N. III*  
Land Use Services Manager

**Ward/Superward: 4/7**

Approved: *[Signature]*  
George M. Homewood, AICP, CFM  
Planning Director

**Item Number: 4**

**I. Recommendation:**

Staff recommends approval subject to the attached conditions, considering compliance with *Zoning Ordinance* requirements and consistency with approved plans.

**II. Applicant:** David Bohanon

**III. Description:**

This request would allow a new business, Taco Bell, to construct a new restaurant on the site with a commercial drive-through.

**IV. Analysis**

The site is located at the southwest corner of Newtown Road and Stoney Point South, at the southern entrance to the Newtowne South townhome community, and along a corridor mixed with various commercial uses.

Plan Analysis

- The proposed special exception is consistent with *plaNorfolk2030*, which designates this site as commercial.

Zoning Analysis

- The site is located in a C-2 (Corridor Commercial) district, which permits the proposed use with a special exception.
- The site is located along a commercial corridor with limited residential exposure approximately 150 feet to the northwest.
  - There are two existing office buildings on both sides of Stoney Point South that should serve as a buffer from the potential impacts of the proposed commercial drive.

- The Woodlawn Memorial Gardens cemetery is located directly to the west and southwest of the site.
  - A condition is being proposed that calls for extra landscaping along the entire southwest property line, adding an adequate buffer between the proposed exit drive-aisle of the drive-through and the cemetery.
    - This condition is being added to acknowledge the potential for a commercial drive-through operation to negatively impact solitude of a cemetery.
- The properties directly across North Newtown Road are located in the City of Virginia Beach and consist of the Interstate exit ramp as well as a few hotel buildings.
- The applicant proposes to demolish the existing Exxon gas station and convenience store in order to redevelop the site with a new 2,000 square foot fast-food restaurant with a single drive-through lane.
- The conceptual plan submitted by the applicant demonstrates compliance with *Zoning Ordinance* standards for a Commercial Drive-Through.
- The attached conditions ensure compliance with the adopted general plan and all *Zoning Ordinance* requirements.

	Prior (Exxon)	Proposed (Taco Bell)
Use of the Property	Convenience store with gas station and automobile repair	Restaurant with a drive-through
Hours of Operation	Not Specified	24-hours a day seven days a week

#### Traffic Analysis

- Institute of Transportation Engineers (ITE) figures estimate that this use will generate 390 fewer vehicle trips per day.
- Based upon ITE data, the prior gas station use on this site would be expected to generate 1,348 weekday trips while the proposed new fast food restaurant with a drive-through would be expected to generate 958 trips on weekdays

#### Parking Analysis

- For an eating establishment of this size located within the Suburban Character District, the *Zoning Ordinance* requires that the site provides a minimum of 13 parking spaces and sufficient room to accommodate one bicycle.
  - The site is proposing to accommodate 27 parking spaces and 2 bicycle spaces.

#### **V. Financial Impact**

The property owner is current on all taxes.

**VI. Environmental**

- The addition of a drive-through lane should not adversely impact the surrounding uses.
- A letter of support was received from the Newtowne South Civic League.
- As part of the site redevelopment, one existing entrance will be closed and another narrowed; the new result will be a significant improvement in access management.

**VII. Community Outreach/Notification**

- Legal notice was posted on the property on December 16.
- Letter was sent to the Newtowne South Civic League on December 29.
- Letters were mailed to all property owners within 300 feet of the property on January 9.
- Legal notification was placed in *The Virginian-Pilot* on January 8 and January 15.

**VIII. Coordination/Outreach**

This report has been coordinated with the Department of City Planning, the Department of Recreation, Parks and Open Space, Department of Public Works, the City Attorney's Office and the Department of Neighborhood Development – Division of Neighborhood Engagement.

**Supporting Material from the Department of City Planning:**

- Proposed conditions
- Location map
- Zoning map
- Application
- Physical survey
- Site plan
- Landscape plan
- Letter to the civic league
- Letter of support – Newtowne South

## **Proponents and Opponents**

### **Proponents**

Bret Underwood – Representative  
999 Waterside Drive, Suite 2525  
Norfolk, VA 23510

Ford Mason – President, Newtowne South Civic League  
6612 Stoney Point North  
Norfolk, VA 23502

### **Opponents**

None

Form and Correctness Approved: 

By   
Office of the City Attorney

Contents Approved: 

By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A COMMERCIAL DRIVE-THROUGH FOR "TACO BELL" ON PROPERTY LOCATED AT 649 NORTH NEWTOWN ROAD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted authorizing the operation of a Commercial Drive-Through for "Taco Bell" on property located at 649 North Newtown Road. The property which is the subject of this Special Exception is more fully described as follows:

Property fronting 241 feet, more or less, along the western line of North Newtown Road and 133 feet, more or less, along the southern line of Stoney Point South; premises numbered 649 North Newtown Road.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) There shall be no more than one (1) drive-through lane.
- (b) The site shall be developed in accordance with the conceptual plan prepared by Britt Peters and Associates, Inc., dated October 30, 2014, attached hereto and marked as "Exhibit A," subject to any revisions required by the City during the site plan review process.
- (c) A buffer yard shall be installed and maintained along the entire length of the southwest property line to the same extent required for screening a commercial use from a residential use under section 6-0.3(f) of the Zoning Ordinance of the City of Norfolk, 1992 (as amended).
- (d) A solid fence or wall not less than four (4) feet

in height shall be installed and maintained along the western property line abutting the property numbered 6663 Stoney Point South.

- (e) All non-conforming fences and signs on the site shall be removed.
- (f) Any dumpster on the property shall be gated, not visible from any public right-of-way, and screened with materials that complement the proposed building.
- (g) On-site lighting shall be directed and shielded so as not to cast glare onto any adjacent residential properties.
- (h) The facility shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.
- (i) During all hours of operation, the facility operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (j) The facility shall maintain a current, active business license at all times while in operation.
- (k) Notwithstanding any other regulations pertaining to temporary window signage in Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), no less than 85% of the glass areas of the ground floor shall remain transparent as defined in the Zoning Ordinance.
- (l) No business license shall be issued until conditions (b), (c), (d), and (e) above, have all been complied with in their entirety.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony



with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;

- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect



of the proposed type of special exception use on the city as a whole;

- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

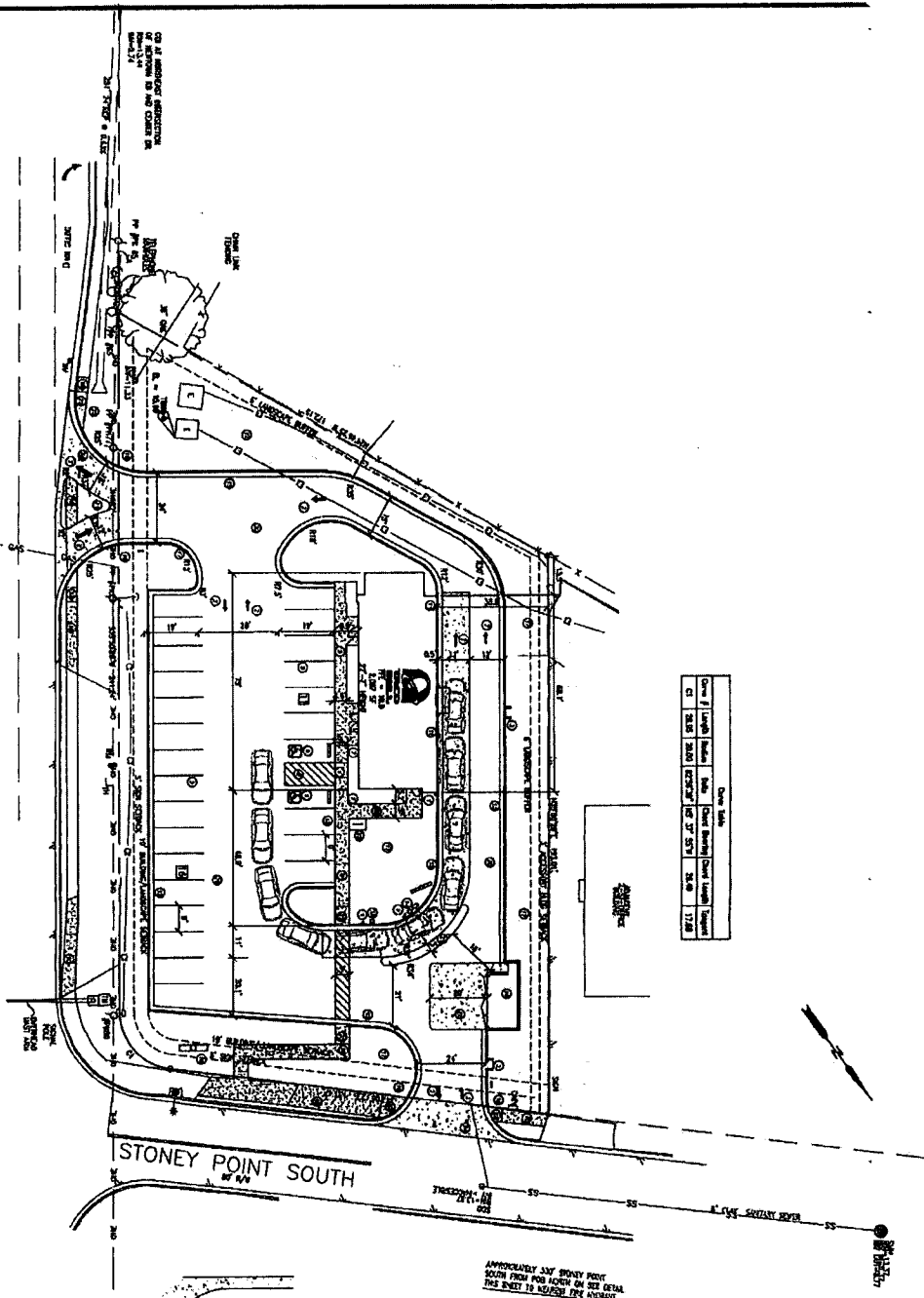
ATTACHMENT:  
Exhibit A (1 page)



**Know what's below.  
Call before you dig.**



Case #	Length	Radius	Vol	Dist. from tip	Dist. length	Tagged
21	24.5	20.0	129.7 <sup>cm</sup>	15.7-57 <sup>cm</sup>	24.4	17.88



APPROXIMATELY 300 STONEY POINT  
SOUTH FROM POB NORTH ON SEE DETAIL  
THIS SHEET TO NEAREST FIRE ALARM

- 1) **WATER POLLUTION** refers to **pollution** in **water**
- 2) **Water Pollution** is **contamination** of **water** by **undesired** or **harmful** **substances**
- 3) **Contaminant** means **any** **substance** in **water**
- 4) **Water quality** is **the** **condition** of **water** in **terms** of **its** **chemical** **and** **physical** **properties**
- 5) **Water pollution** means **any** **change** in **water** **quality** **in** **terms** of **chemical** **and** **physical** **properties**
- 6) **Water quality** **may** **vary** **from** **place** **to** **place** / **from** **time** **to** **time**
- 7) **Water pollution** **may** **be** **caused** **by** **natural** **or** **artificial** **sources**
- 8) **Water pollution** **may** **be** **caused** **by** **chemical** **or** **physical** **pollutants**
- 9) **Water pollution** **may** **be** **caused** **by** **biological** **pollutants**
- 10) **Water pollution** **may** **be** **caused** **by** **radioactive** **pollutants**
- 11) **Water pollution** **may** **be** **caused** **by** **thermal** **pollutants**
- 12) **Water pollution** **may** **be** **caused** **by** **noise** **pollutants**
- 13) **Water pollution** **may** **be** **caused** **by** **oxygen** **pollutants**
- 14) **Water pollution** **may** **be** **caused** **by** **acid** **pollutants**
- 15) **Water pollution** **may** **be** **caused** **by** **base** **pollutants**
- 16) **Water pollution** **may** **be** **caused** **by** **solid** **pollutants**
- 17) **Water pollution** **may** **be** **caused** **by** **liquid** **pollutants**
- 18) **Water pollution** **may** **be** **caused** **by** **gas** **pollutants**
- 19) **Water pollution** **may** **be** **caused** **by** **heat** **pollutants**
- 20) **Water pollution** **may** **be** **caused** **by** **noise** **pollutants**
- 21) **Water pollution** **may** **be** **caused** **by** **radioactive** **pollutants**
- 22) **Water pollution** **may** **be** **caused** **by** **chemical** **pollutants**
- 23) **Water pollution** **may** **be** **caused** **by** **physical** **pollutants**
- 24) **Water pollution** **may** **be** **caused** **by** **biological** **pollutants**
- 25) **Water pollution** **may** **be** **caused** **by** **radioactive** **pollutants**
- 26) **Water pollution** **may** **be** **caused** **by** **thermal** **pollutants**
- 27) **Water pollution** **may** **be** **caused** **by** **noise** **pollutants**
- 28) **Water pollution** **may** **be** **caused** **by** **oxygen** **pollutants**
- 29) **Water pollution** **may** **be** **caused** **by** **acid** **pollutants**
- 30) **Water pollution** **may** **be** **caused** **by** **base** **pollutants**
- 31) **Water pollution** **may** **be** **caused** **by** **solid** **pollutants**
- 32) **Water pollution** **may** **be** **caused** **by** **liquid** **pollutants**
- 33) **Water pollution** **may** **be** **caused** **by** **gas** **pollutants**
- 34) **Water pollution** **may** **be** **caused** **by** **heat** **pollutants**
- 35) **Water pollution** **may** **be** **caused** **by** **noise** **pollutants**
- 36) **Water pollution** **may** **be** **caused** **by** **radioactive** **pollutants**
- 37) **Water pollution** **may** **be** **caused** **by** **chemical** **pollutants**
- 38) **Water pollution** **may** **be** **caused** **by** **physical** **pollutants**
- 39) **Water pollution** **may** **be** **caused** **by** **biological** **pollutants**
- 40) **Water pollution** **may** **be** **caused** **by** **radioactive** **pollutants**
- 41) **Water pollution** **may** **be** **caused** **by** **thermal** **pollutants**
- 42) **Water pollution** **may** **be** **caused** **by** **noise** **pollutants**
- 43) **Water pollution** **may** **be** **caused** **by** **oxygen** **pollutants**
- 44) **Water pollution** **may** **be** **caused** **by** **acid** **pollutants**
- 45) **Water pollution** **may** **be** **caused** **by** **base** **pollutants**
- 46) **Water pollution** **may** **be** **caused** **by** **solid** **pollutants**
- 47) **Water pollution** **may** **be** **caused** **by** **liquid** **pollutants**
- 48) **Water pollution** **may** **be** **caused** **by** **gas** **pollutants**
- 49) **Water pollution** **may** **be** **caused** **by** **heat** **pollutants**
- 50) **Water pollution** **may** **be** **caused** **by** **noise** **pollutants**
- 51) **Water pollution** **may** **be** **caused** **by** **radioactive** **pollutants**
- 52) **Water pollution** **may** **be** **caused** **by** **chemical** **pollutants**
- 53) **Water pollution** **may** **be** **caused** **by** **physical** **pollutants**
- 54) **Water pollution** **may** **be** **caused** **by** **biological** **pollutants**
- 55) **Water pollution** **may** **be** **caused** **by** **radioactive** **pollutants**
- 56) **Water pollution** **may** **be** **caused** **by** **thermal** **pollutants**
- 57) **Water pollution** **may** **be** **caused** **by** **noise** **pollutants**
- 58) **Water pollution** **may** **be** **caused** **by** **oxygen** **pollutants**
- 59) **Water pollution** **may** **be** **caused** **by** **acid** **pollutants**
- 60) **Water pollution** **may** **be** **caused** **by** **base** **pollutants**
- 61) **Water pollution** **may** **be** **caused** **by** **solid** **pollutants**
- 62) **Water pollution** **may** **be** **caused** **by** **liquid** **pollutants**
- 63) **Water pollution** **may** **be** **caused** **by** **gas** **pollutants**
- 64) **Water pollution** **may** **be** **caused** **by** **heat** **pollutants**
- 65) **Water pollution** **may** **be** **caused** **by** **noise** **pollutants**
- 66) **Water pollution** **may** **be** **caused** **by** **radioactive** **pollutants**
- 67) **Water pollution** **may** **be** **caused** **by** **chemical** **pollutants**
- 

12144.240

**1083042074**

**Abstract**

\_\_\_\_\_

1

1

Model

**14-00000**

351

**HOW TO**

1

-8-

WAS

מח

4

0



**MARK D. MCCLUGGAGE AIA, CCS**  
 1521 E. Douglas Wildlife, NO 17741  
 Tel: (913) 915-6377  
 Fax: (913) 985-0542



**BRITT PETERS  
ASSOCIATES**  
INC.  
consulting engineers

600 Westside Drive, Ste. 2075  
PO Box 6078  
Houston, TX 77261  
(713) 793-0843  
www.britteters.com  
BPA Job # 14671

LIVE MASS  
MEDIAN  
SITE  
PLAN

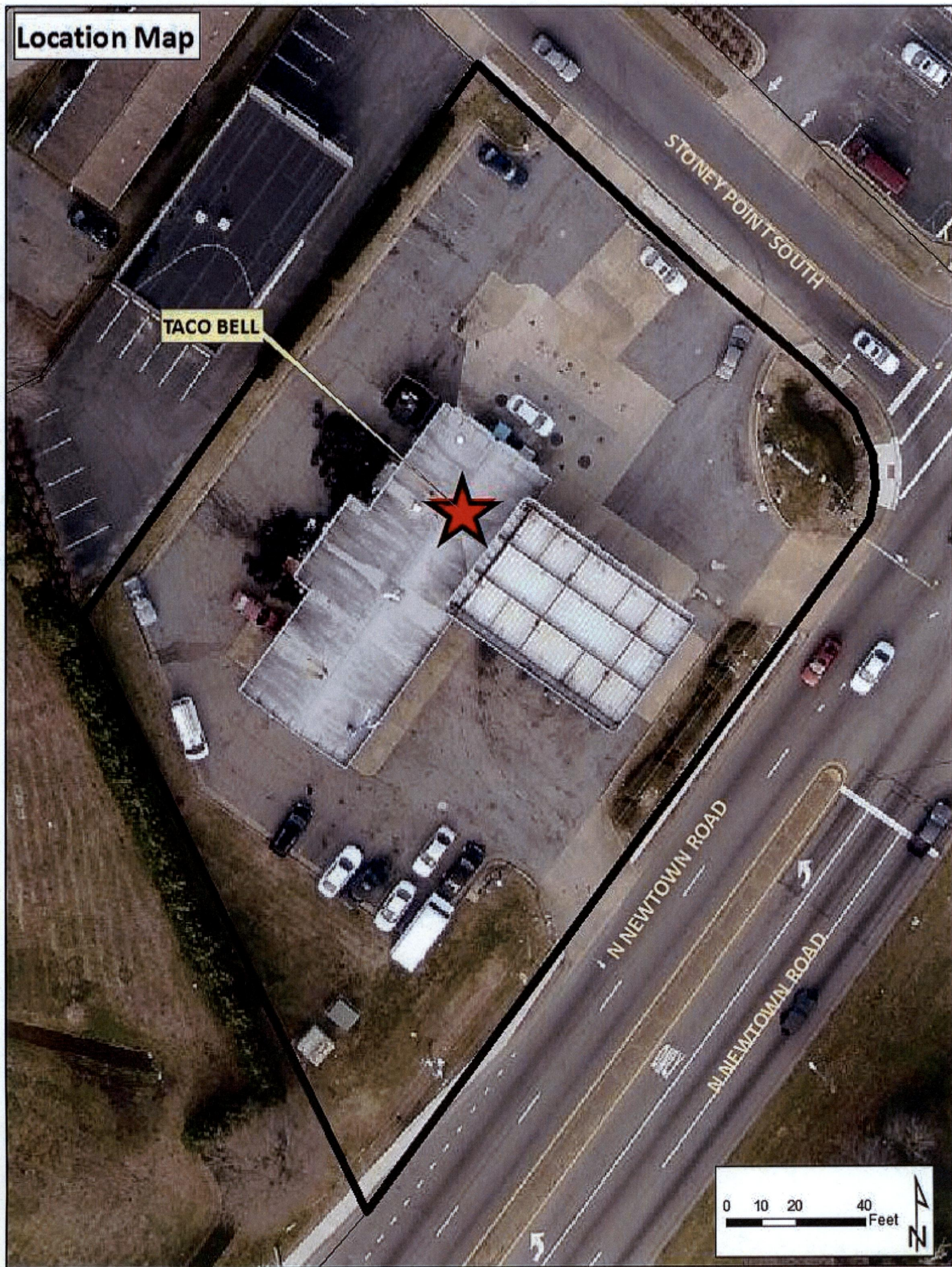
3.0

Taco Bell – 649 N. Newtown Road – Special Exception Conditions – Commercial Drive-Through

- (a) There shall be no more than one (1) drive-through lane.
- (b) The site shall be developed in accordance with the conceptual plan attached hereto and marked "Exhibit A," as prepared by Britt Peters and Associates, Inc., dated September 8, 2014, subject to any required revisions made during the City's Site Plan Review process.
- (c) A buffer yard shall be installed and maintained along the entire length of the southwest property line to the same extent as is required for screening a commercial use from a residential use as found under section 6-0.3(f) of the *Zoning Ordinance of the City of Norfolk*, 1992 (as amended).
- (d) All non-conforming fences and signs on the site shall be removed.
- (e) The dumpster shall be gated and not visible from any public right-of-way, and will be screened with masonry walls that complement the proposed building.
- (f) Notwithstanding any other regulations pertaining to temporary window signage within Chapter 16 of the *Zoning Ordinance of the City of Norfolk*, 1992 (as amended), no more than 15% of the ground floor window and glass door area of the business may be covered by either permanent or temporary window signs.
- (g) At all times, all signage, including temporary signage, must comply with the applicable regulations of Chapter 16 of the *Zoning Ordinance of the City of Norfolk*, 1992 (as amended), entitled "Signs."
- (h) On-site lighting shall be directed and shielded so as not to cast glare onto any adjacent residential properties or public right-of-way.
- (i) The facility shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.
- (j) During all hours of operation, the facility operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (k) The property shall be kept in a clean and sanitary condition at all times.
- (l) No business license shall be issued until conditions (b), (c), (d) and (e) have all been implemented fully on the site.
- (m) The facility shall maintain a current, active business license at all times while in operation.

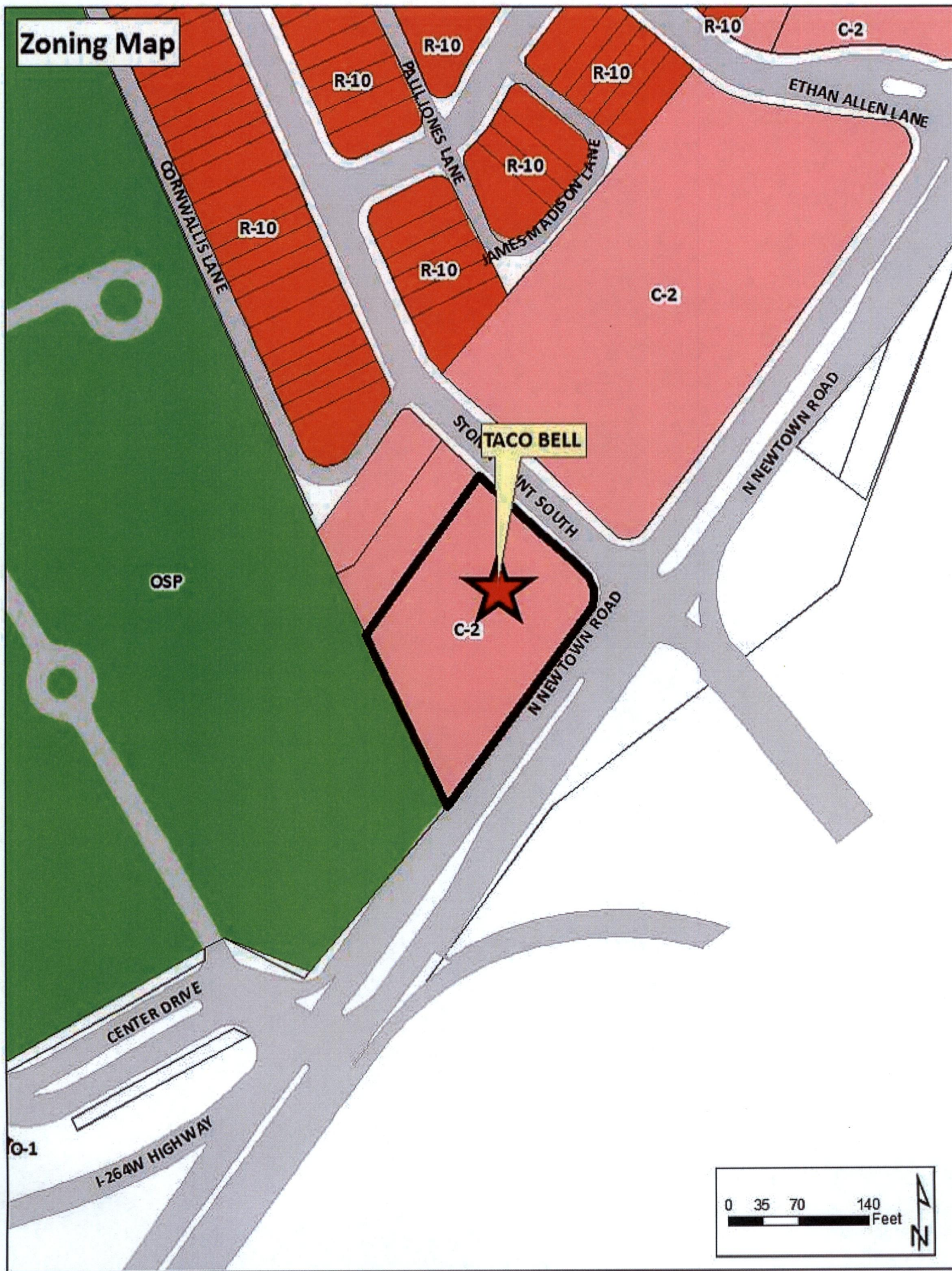


Location Map





# Zoning Map





## APPLICATION SPECIAL EXCEPTION

Special Exception for: Taco Bell - 649 N. Newtown Road

Date of application: 12/01/2014

### DESCRIPTION OF PROPERTY

Property location: (Street Number) 649 (Street Name) N. Newtown Road

Existing Use of Property Gas Station

Current Building Square Footage 3127

### Proposed Use

New Taco Bell restaurant

Proposed Square Footage 2007

### Proposed Hours of Operation:

Weekday From 12 To 12

Friday From 12 To 12

Saturday From 12 To 12

Sunday From 12 To 12

Trade Name of Business (If applicable) Taco Bell

### DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2013)



**APPLICANT/ PROPERTY OWNER**

1. Name of applicant: (Last)  (First)  (MI)

Mailing address of applicant (Street/P.O. Box):

(City)  (State)  (Zip Code)

Daytime telephone number of applicant ()  Fax number ()

E-mail address of applicant:

2. Name of property owner: (Last)  (First)  (MI)

Mailing address of property owner (Street/P.O. box):

(City)  (State)  (Zip Code)

Daytime telephone number of owner ()  Fax number ()

**CIVIC LEAGUE INFORMATION**

Civic League contact:

Date(s) contacted:

Ward/Super Ward information:

**REQUIRED ATTACHMENTS:**

- ✓ Required application fee, **\$355.00** (if check, make payable to Norfolk City Treasurer).
    - Application fee includes a non-refundable \$5 technology surcharge.
  - ✓ Two 8½ x 14 inch copies of a survey or site plan drawn to scale showing:
    - Existing and proposed building structures
    - Driveways
    - Parking,
    - Landscaping
    - Property lines (\*see attached example).
- 

**DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2013)



**CERTIFICATION:**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: CHUNG BUP CHOI Sign: Chung Sup Choi 12/15/14  
(Property Owner or Authorized Agent Signature) (Date)

David Bohann

David Bohann 12/23/14

Print name: Bret Underwood Sign: B. Underwood 12/18/14  
(Applicant or Authorized Agent Signature) (Date)

**DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2013)

THIS IS TO CERTIFY THAT THE MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD TEST REQUIREMENTS FOR ALTA, ALTA/LAND TITLE SURVEY, JONTLY ESTABLISHED AND ADOPTED BY ALTA AND NRSRS AND MEETS THE 1, 2, 3, 4, 5, 6, 6.0.0.0, 7.0.0.0, 8.0.0.0, 9.0.0.0, 10.0.0.0, 11.0.0.0, 12.0.0.0, 13.0.0.0, 14.0.0.0, 15.0.0.0, 16.0.0.0, 17.0.0.0, 18.0.0.0, 19.0.0.0, 20.0.0.0, 21.0.0.0, 22.0.0.0, 23.0.0.0, 24.0.0.0, 25.0.0.0, 26.0.0.0, 27.0.0.0, 28.0.0.0, 29.0.0.0, 30.0.0.0, 31.0.0.0, 32.0.0.0, 33.0.0.0, 34.0.0.0, 35.0.0.0, 36.0.0.0, 37.0.0.0, 38.0.0.0, 39.0.0.0, 40.0.0.0, 41.0.0.0, 42.0.0.0, 43.0.0.0, 44.0.0.0, 45.0.0.0, 46.0.0.0, 47.0.0.0, 48.0.0.0, 49.0.0.0, 50.0.0.0, 51.0.0.0, 52.0.0.0, 53.0.0.0, 54.0.0.0, 55.0.0.0, 56.0.0.0, 57.0.0.0, 58.0.0.0, 59.0.0.0, 60.0.0.0, 61.0.0.0, 62.0.0.0, 63.0.0.0, 64.0.0.0, 65.0.0.0, 66.0.0.0, 67.0.0.0, 68.0.0.0, 69.0.0.0, 70.0.0.0, 71.0.0.0, 72.0.0.0, 73.0.0.0, 74.0.0.0, 75.0.0.0, 76.0.0.0, 77.0.0.0, 78.0.0.0, 79.0.0.0, 80.0.0.0, 81.0.0.0, 82.0.0.0, 83.0.0.0, 84.0.0.0, 85.0.0.0, 86.0.0.0, 87.0.0.0, 88.0.0.0, 89.0.0.0, 90.0.0.0, 91.0.0.0, 92.0.0.0, 93.0.0.0, 94.0.0.0, 95.0.0.0, 96.0.0.0, 97.0.0.0, 98.0.0.0, 99.0.0.0, 100.0.0.0, 101.0.0.0, 102.0.0.0, 103.0.0.0, 104.0.0.0, 105.0.0.0, 106.0.0.0, 107.0.0.0, 108.0.0.0, 109.0.0.0, 110.0.0.0, 111.0.0.0, 112.0.0.0, 113.0.0.0, 114.0.0.0, 115.0.0.0, 116.0.0.0, 117.0.0.0, 118.0.0.0, 119.0.0.0, 120.0.0.0, 121.0.0.0, 122.0.0.0, 123.0.0.0, 124.0.0.0, 125.0.0.0, 126.0.0.0, 127.0.0.0, 128.0.0.0, 129.0.0.0, 130.0.0.0, 131.0.0.0, 132.0.0.0, 133.0.0.0, 134.0.0.0, 135.0.0.0, 136.0.0.0, 137.0.0.0, 138.0.0.0, 139.0.0.0, 140.0.0.0, 141.0.0.0, 142.0.0.0, 143.0.0.0, 144.0.0.0, 145.0.0.0, 146.0.0.0, 147.0.0.0, 148.0.0.0, 149.0.0.0, 150.0.0.0, 151.0.0.0, 152.0.0.0, 153.0.0.0, 154.0.0.0, 155.0.0.0, 156.0.0.0, 157.0.0.0, 158.0.0.0, 159.0.0.0, 160.0.0.0, 161.0.0.0, 162.0.0.0, 163.0.0.0, 164.0.0.0, 165.0.0.0, 166.0.0.0, 167.0.0.0, 168.0.0.0, 169.0.0.0, 170.0.0.0, 171.0.0.0, 172.0.0.0, 173.0.0.0, 174.0.0.0, 175.0.0.0, 176.0.0.0, 177.0.0.0, 178.0.0.0, 179.0.0.0, 180.0.0.0, 181.0.0.0, 182.0.0.0, 183.0.0.0, 184.0.0.0, 185.0.0.0, 186.0.0.0, 187.0.0.0, 188.0.0.0, 189.0.0.0, 190.0.0.0, 191.0.0.0, 192.0.0.0, 193.0.0.0, 194.0.0.0, 195.0.0.0, 196.0.0.0, 197.0.0.0, 198.0.0.0, 199.0.0.0, 200.0.0.0, 201.0.0.0, 202.0.0.0, 203.0.0.0, 204.0.0.0, 205.0.0.0, 206.0.0.0, 207.0.0.0, 208.0.0.0, 209.0.0.0, 210.0.0.0, 211.0.0.0, 212.0.0.0, 213.0.0.0, 214.0.0.0, 215.0.0.0, 216.0.0.0, 217.0.0.0, 218.0.0.0, 219.0.0.0, 220.0.0.0, 221.0.0.0, 222.0.0.0, 223.0.0.0, 224.0.0.0, 225.0.0.0, 226.0.0.0, 227.0.0.0, 228.0.0.0, 229.0.0.0, 230.0.0.0, 231.0.0.0, 232.0.0.0, 233.0.0.0, 234.0.0.0, 235.0.0.0, 236.0.0.0, 237.0.0.0, 238.0.0.0, 239.0.0.0, 240.0.0.0, 241.0.0.0, 242.0.0.0, 243.0.0.0, 244.0.0.0, 245.0.0.0, 246.0.0.0, 247.0.0.0, 248.0.0.0, 249.0.0.0, 250.0.0.0, 251.0.0.0, 252.0.0.0, 253.0.0.0, 254.0.0.0, 255.0.0.0, 256.0.0.0, 257.0.0.0, 258.0.0.0, 259.0.0.0, 260.0.0.0, 261.0.0.0, 262.0.0.0, 263.0.0.0, 264.0.0.0, 265.0.0.0, 266.0.0.0, 267.0.0.0, 268.0.0.0, 269.0.0.0, 270.0.0.0, 271.0.0.0, 272.0.0.0, 273.0.0.0, 274.0.0.0, 275.0.0.0, 276.0.0.0, 277.0.0.0, 278.0.0.0, 279.0.0.0, 280.0.0.0, 281.0.0.0, 282.0.0.0, 283.0.0.0, 284.0.0.0, 285.0.0.0, 286.0.0.0, 287.0.0.0, 288.0.0.0, 289.0.0.0, 290.0.0.0, 291.0.0.0, 292.0.0.0, 293.0.0.0, 294.0.0.0, 295.0.0.0, 296.0.0.0, 297.0.0.0, 298.0.0.0, 299.0.0.0, 300.0.0.0, 301.0.0.0, 302.0.0.0, 303.0.0.0, 304.0.0.0, 305.0.0.0, 306.0.0.0, 307.0.0.0, 308.0.0.0, 309.0.0.0, 310.0.0.0, 311.0.0.0, 312.0.0.0, 313.0.0.0, 314.0.0.0, 315.0.0.0, 316.0.0.0, 317.0.0.0, 318.0.0.0, 319.0.0.0, 320.0.0.0, 321.0.0.0, 322.0.0.0, 323.0.0.0, 324.0.0.0, 325.0.0.0, 326.0.0.0, 327.0.0.0, 328.0.0.0, 329.0.0.0, 330.0.0.0, 331.0.0.0, 332.0.0.0, 333.0.0.0, 334.0.0.0, 335.0.0.0, 336.0.0.0, 337.0.0.0, 338.0.0.0, 339.0.0.0, 340.0.0.0, 341.0.0.0, 342.0.0.0, 343.0.0.0, 344.0.0.0, 345.0.0.0, 346.0.0.0, 347.0.0.0, 348.0.0.0, 349.0.0.0, 350.0.0.0, 351.0.0.0, 352.0.0.0, 353.0.0.0, 354.0.0.0, 355.0.0.0, 356.0.0.0, 357.0.0.0, 358.0.0.0, 359.0.0.0, 360.0.0.0, 361.0.0.0, 362.0.0.0, 363.0.0.0, 364.0.0.0, 365.0.0.0, 366.0.0.0, 367.0.0.0, 368.0.0.0, 369.0.0.0, 370.0.0.0, 371.0.0.0, 372.0.0.0, 373.0.0.0, 374.0.0.0, 375.0.0.0, 376.0.0.0, 377.0.0.0, 378.0

ADDITIONAL CERTIFICATION:  
TACO BELL OF AMERICA 11/1

CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NO. 83-0001354

### LEGAL DESCRIPTION

THIS SURVEY REFERS TO THE SAME PROPERTY NUMBERED AND DESIGNATED AS PARCEL A-3A AS SHOWN ON THAT CERTAIN PLAT ENTITLED, "SUBDIVISION OF PARCEL A-3 NEW TOWN SOUTH SECTION ONE NORFOLK, VIRGINIA,"

BEGINNING AT A OLD FOUND ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF STONEK POINT SOUTH THENCE, WITH AN OLD FOUND SOUTH RIGHT OF WAY  $57'08''12''E$ ,  $133.47'$  TO AN IRON PIN FOUND (97) THENCE, SOUTHERLY ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF  $28.95'$ , A RADIUS OF  $20'$  TO A IRON ROD FOUND (97) ON THE NORTHWESTERN RIGHT OF WAY LINE OF NEWTON ROAD, S/D AND ARE MORE PARTICULARLY DESCRIBED IN THE CURVE TABLE SHOWN ON SHEET TWO OF THIS PLAT, THENCE ALONG SOUTH RIGHT OF WAY  $335'50'20''W$ ,  $24.24'$  TO A NAIL FOUND ON SHEET TWO OF THIS PLAT, THENCE LEAVING SOUTH RIGHT OF WAY  $N24^{\circ}46'25''W$ ,  $172.15'$  TO AN 87', THENCE,  $N35^{\circ}50'20''E$ ,  $193.07'$  TO THE POINT OF BEGINNING.

[illegible]

3. THERE ARE NO ENCROACHMENTS ON TO ADJACENT PREMISES, STREETS OR ALLEYS BY ANY BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS LOCATED ON THE PREMISES, AND NO ENCROACHMENTS ONTO SAID PREMISES BY BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS SITUATED ON ADJOINING PREMISES.

4) SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 0155F WITH A DATE OF SEPTEMBER 2, 2009 FOR COMMUNITY 510104, IN NORFOLK VIRGINIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED.

5) ALL SETBACK, SIDE YARD AND REAR YARD LINES AND REQUIREMENTS SHOWN OR SET FORTH ON ALL RECORDED PLATS AND DOCUMENTS, AND THOSE SET FORTH IN APPLICABLE ZONING ORDINANCES ARE PLOTTED HEREON OR ARE NOTED HEREON IN TABULAR FORM.

6). TEMPORARY BENCHMARK IS THE CONCRETE CORNER IS 15.69 AND IS RELATED TO NAVD 88. THE HORIZONTAL SURVEY USING CITY OF VIRGINIA BEACH DISK #VB671901

TITLE COMMITMENT EASEMENTS

4. EASIDENT DOESN'T APPEAR TO AFFECT PROPERTY DB 240 PG. 57
5. VIRGINIA ELECTRIC & POWER CO EASIDENT IN DB 1021 PG. 35  
OF THE ESTATE OF JAMES H. SMITH, JR. IN THE CIRCUIT COURT OF THE  
COUNTY OF SPOTSYLDEN, VIRGINIA
6. VIRGINIA ELECTRIC & POWER CO EASIDENT IN DB 1119 PG. 555  
EASIDENT SHOWN ON PLAT.
7. MARKINGS AND UNDERGROUND EVIDENCE OF POWER LINES IN  
DB 1045 PG. 171 SHOWN IN THE ESTATE OF JAMES H. SMITH, JR.  
IN THE CIRCUIT COURT OF THE COUNTY OF SPOTSYLDEN, VIRGINIA  
ON PLAT. POWER LINES AND SERVICE SHOWN ON PLAT.
8. VIRGINIA ELECTRIC & POWER COMPANY EASIDENT IN DB 1162 PG. 1455  
SHOWN ON PLAT

BY: *R. L. Galloway*  
BY: R. L. GALLOWAY, PLS# 001286

THIS ALTA/ACSM LAND TITLE SURVEY WAS COMPLETED UNDER THE DIRECT AND RESPONSIBLE CHARGE OF RICHARD L. GALLOWAY, L.S. FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE ORIGINAL DATA WAS OBTAINED ON 9-24-14 AND THAT THIS PLAT MEETS MINIMUM ACCURACY STANDARDS, UNLESS OTHERWISE NOTED.



SITE DETAILS	
REFERENCE	CURRENT
ADDRESS	649 N. NEW TOWN RD
PARKING SPACES	12 VISIBLE
HANDICAP SPACES	0 VISIBLE
BUILDING HEIGHT	15.16'
USE	443 STATION/SHOP
BUILDING SETBACK	FRONT=10', SIDE=0', REAR=0'

ALTA/ACSM LAND TITLE SURVEY  
OF  
#649 N. NEWTOWN ROAD  
FOR  
TACO BELL OF AMERICA, LLC  
SHEET 1 OF 2

### PROPERTY INFORMATION

ADDRESS= #949 N NEWTOWN ROAD  
NORFOLK, VIRGINIA 23502  
ZONING DISTRICT= C2  
FEMA FLOOD MAP= 510104  
PANEL= 0155F  
ZONE= X (AREA OF MINIMAL HAZARD)  
DATE= SEPTEMBER 2, 2009  
AREA= 33,830.12 S.F. = 0.7766 ACRES.

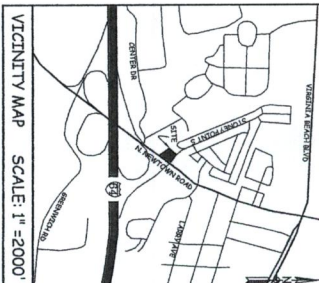
FOR: TACO BELL OF AMERICA, LLC  
A DELAWARE LIMITED LIABILITY COMPANY  
#1 BELL WAY  
IRVINE, CA 92618

LEGEND

144	UNDERGROUND ELECT.
145	UNDERGROUND
146	UNDERGROUND
147	UNDERGROUND
148	UNDERGROUND
149	UNDERGROUND
150	UNDERGROUND
151	UNDERGROUND
152	UNDERGROUND
153	UNDERGROUND
154	UNDERGROUND
155	UNDERGROUND
156	UNDERGROUND
157	UNDERGROUND
158	UNDERGROUND
159	UNDERGROUND
160	UNDERGROUND
161	UNDERGROUND
162	UNDERGROUND
163	UNDERGROUND
164	UNDERGROUND
165	UNDERGROUND
166	UNDERGROUND
167	UNDERGROUND
168	UNDERGROUND
169	UNDERGROUND
170	UNDERGROUND
171	UNDERGROUND
172	UNDERGROUND
173	UNDERGROUND
174	UNDERGROUND
175	UNDERGROUND
176	UNDERGROUND
177	UNDERGROUND
178	UNDERGROUND
179	UNDERGROUND
180	UNDERGROUND
181	UNDERGROUND
182	UNDERGROUND
183	UNDERGROUND
184	UNDERGROUND
185	UNDERGROUND
186	UNDERGROUND
187	UNDERGROUND
188	UNDERGROUND
189	UNDERGROUND
190	UNDERGROUND
191	UNDERGROUND
192	UNDERGROUND
193	UNDERGROUND
194	UNDERGROUND
195	UNDERGROUND
196	UNDERGROUND
197	UNDERGROUND
198	UNDERGROUND
199	UNDERGROUND
200	UNDERGROUND

## REFERENCES

M.B. 25 PG 18  
INST 040026715  
COMMITMENT #831400135A



VICINITY MAP SCALE: 1" = 2000'

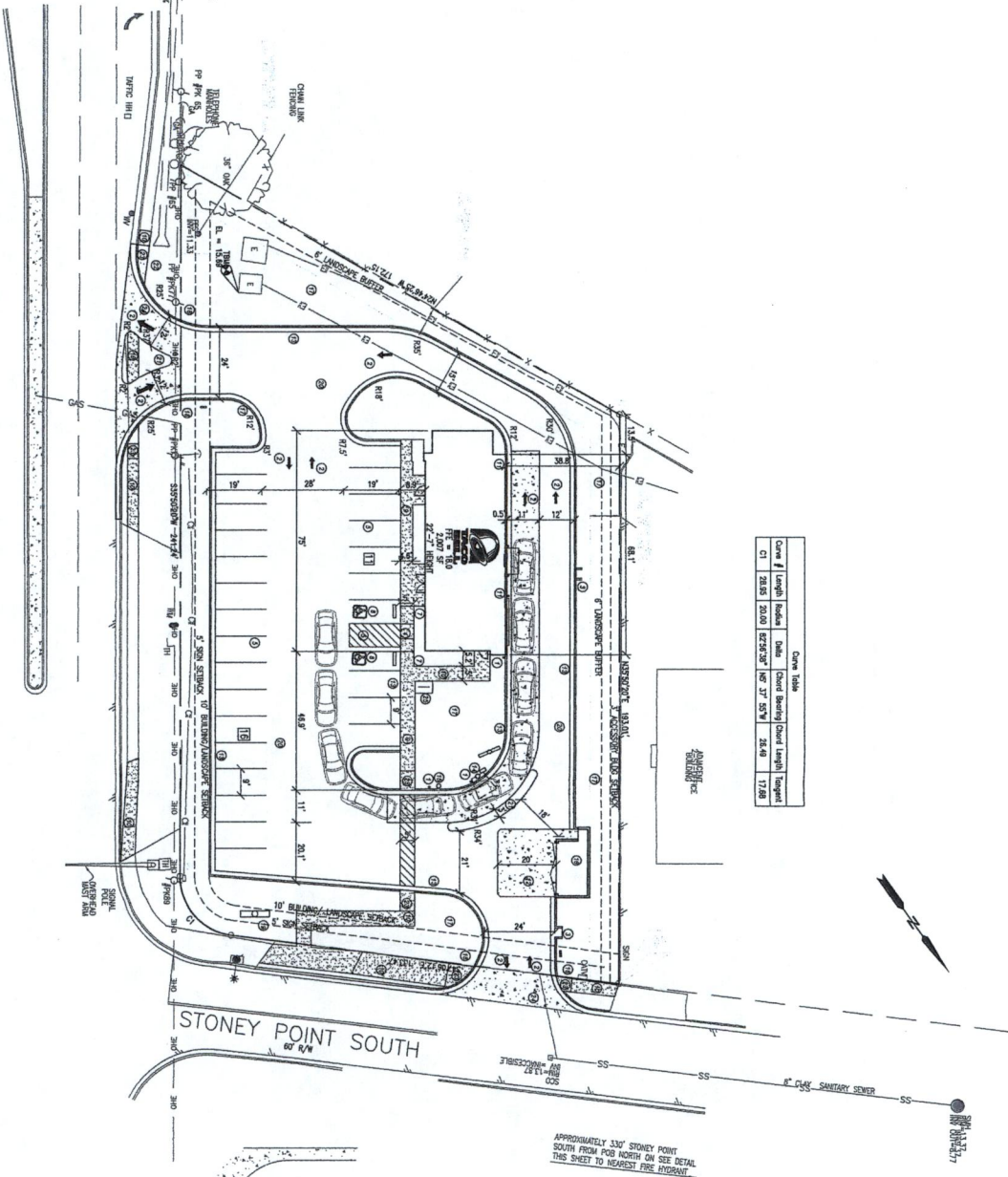
**R L GALLOWAY, LS**  
SURVEYOR/PLANNER  
17226 COMMERCE LANE  
SMITHFIELD, VIRGINIA 23430  
PH: (757) 356-9096  
FAX: (757) 356-9098



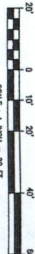




NORTH NEWTOWN ROAD  
MAYBE WITH R/W



NOTES TO SHEET C-3.0: SEE NOTES FOR  
THIS AND SUBSEQUENT SHEETS.



NOT DATE

C3.0

SANITARY SEWER  
STORM SEWER  
OVERHEAD POWER

15  
EXISTS CONCRETE SIDEWALK  
REFER TO SHEET C-3.0 (S.D.)

# LEGEND

1  
EXISTS CONCRETE PAVEMENT  
REFER TO SHEET C-3.0 (S.D.)

- 1. EXISTING PAVEMENT REFER TO SHEET C-3.0 (S.D.)
- 2. EXISTING SIDEWALK REFER TO SHEET C-3.0 (S.D.)
- 3. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 4. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 5. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 6. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 7. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 8. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 9. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 10. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 11. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 12. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 13. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 14. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 15. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 16. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 17. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 18. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 19. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 20. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 21. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 22. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 23. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 24. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 25. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 26. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 27. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 28. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 29. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 30. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 31. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 32. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 33. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 34. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 35. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 36. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 37. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 38. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 39. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 40. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 41. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 42. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 43. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 44. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 45. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 46. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 47. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 48. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 49. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 50. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 51. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 52. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 53. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 54. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 55. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 56. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 57. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 58. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 59. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 60. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 61. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 62. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 63. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 64. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 65. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 66. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 67. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 68. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 69. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 70. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 71. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 72. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 73. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 74. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 75. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 76. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 77. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 78. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 79. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 80. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 81. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 82. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 83. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 84. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 85. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 86. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 87. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 88. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 89. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 90. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 91. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 92. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 93. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 94. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 95. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 96. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 97. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 98. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 99. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)
- 100. EXISTING DRIVEWAY REFER TO SHEET C-3.0 (S.D.)

12144 240

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

10/20/2014

MARK D. MCCLUGGAGE AIA, CCS  
1020 S. Douglas Wichita, KS 67211  
Tel: (316) 266-8997  
Fax: (316) 266-8997  
www.mcccluggage.com

BRITT PETERS  
ASSOCIATES  
INC.  
CONSULTING ENGINEERS  
800 Westwood Drive Ste. 200  
Wichita, KS 67203  
Tel: (316) 266-8997  
Fax: (316) 266-8997  
www.britt-peters.com  
BPA Job # 14481







December 29, 2014

Ford Mason  
President, Newtowne South  
6612 Stoney Point North  
Norfolk, VA 23502

Dear Mr. Mason,

The Planning Department has received an application for a special exception to operate a commercial drive-through facility at 649 N. Newtown Road.

This item is tentatively scheduled for the January 22, 2015 City Planning Commission public hearing.

**Summary**

This request would allow a new business, Taco Bell, to construct a new restaurant on the site with a commercial drive-through.

	Prior (Exxon)	Proposed (Taco Bell)
Use of the Property	Convenience store with gas station and automobile repair	Restaurant with a drive-through
Hours of Operation	Not Specified	24-hours a day seven days a week

If you would like additional information on the request, you may contact the applicant, David Bohanon with Taco Bell Corp., at (678) 469-3307, or [david.bohanon@yum.com](mailto:david.bohanon@yum.com), or you also may contact me at (757) 664-4750, or [matthew.simons@norfolk.gov](mailto:matthew.simons@norfolk.gov). A copy of the complete application is enclosed.

Sincerely,

Matthew Simons, CFM  
City Planner II

cc: Jamie Goldin, Senior Neighborhood Development Specialist  
[jamie.goldin@norfolk.gov](mailto:jamie.goldin@norfolk.gov) or (757) 823-4289

## Kristin Lang

---

**From:** ford0910@cox.net  
**Sent:** Wednesday, December 03, 2014 4:45 PM  
**To:** Kristin Lang  
**Cc:** bill; jim russell; CAROLM; joyce; Marsha Anderson; step; mary1; hope; pms  
**Subject:** Re: Special Exception Request for 649 N. Newtown Road

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Kristin, The Newtowne South Civic League Board do not have problems with your project, but we would like for you to give a presentation at our next general meeting in January 2015. We will meet 28 Jan 2015 at 7:00 pm. Meetings are held at Fairlawn Rec Center, 1014 Kempsville Rd, Norfolk, Va.

Ford Mason  
Newtowne South Civic League  
President  
(757 461-3862)

**From:** Kristin Lang  
**Sent:** Monday, December 01, 2014 9:04 AM  
**To:** ford0910@cox.net  
**Subject:** Special Exception Request for 649 N. Newtown Road

Good morning,

We are contacting you in accordance with the application procedures for the Special Exception process for a project we are working on in Norfolk. We have submitted plans to the City of Norfolk for a new Taco Bell project to be located on the site of an existing gas station at 649 N. Newtown Road. Attached please find a copy of the proposed site plan for the project. Please let us know if we can arrange a time to discuss the project or if you would like us to provide any additional information. Our contact information is below.

Thanks,  
Kristin

Kristin Lang



Britt, Peters & Associates, Inc.  
Structural & Civil Engineers  
101 W. Camperdown Way  
Suite 601  
Greenville, SC 29601  
[T] 864.271.8869 x 231  
[F] 864.233.5140  
[www.brittpeters.com](http://www.brittpeters.com)



## **Simons, Matthew**

---

**From:** ford0910@cox.net  
**Sent:** Monday, January 12, 2015 2:44 PM  
**To:** klang@brittpeters.com  
**Cc:** Simons, Matthew; Goldin, Jamie; bill; jim russell; Marsha Anderson; joyce; step; hope; CAROLM  
**Subject:** Special Exception Request for 649 N. Newtown Road/Taco Bell

Good Afternoon. The Board of Directors of the Newtowne South Civic League does not have any objections to the project, but would like to add a request. We would like to see a masonry fence in place of the hedges currently behind the building and like to see multiple trash containers. We believe the fence would give the neighborhood a better look and prevent trash from being deposited into the area. I must apologize for the late response, but I've been out of town, had death in my family.

Ford Mason  
Newtowne South Civic League  
President  
(757) 461-3862